

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

HOYLE VANCE VERNON,

Petitioner,

V.

DONALD HOLBROOK,

## Respondent.

CASE NO. C16-5167 BHS

## ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation ("R&R")

of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 9. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Petitioner's petition for habeas corpus is **DENIED without prejudice**;
- (3) A certificate of appealability is **DENIED**; and
- (4) This case is closed.

Dated this 21st day of June, 2016.

  
\_\_\_\_\_  
BENJAMIN H. SETTLE  
United States District Judge